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THE ACTS OF THE TOWN COUNCIL Of the CITY of *EDINBURGH*, FOR Suppreſſing of VICE and IMMORALITY, made ſince the Happy Revolution; eſpecially ſince the Year 1700.

To which is prefixed,

The Proclamation of Privy Council, containing an Abbreviate of the Acts of Parliament made againſt PROPHANENESS *and* VICE.

With an INDEX of the whole, containing the Penalties to be exacted.

EDINBURGH, Printed by R. FLEMING and COMPANY, for the Uſe of the City. MDCCXLII.



Edinburgh, 2d *January*, 1706. The which Day,

Sir PATRICK JOHNSTON, Lord Provoſt;

ARCHIBALD RULE,
WILLIAM NEILSON,
GEORGE LAWSON,
GEORGE LIND,
} Baillies;

Sir SAMUEL M'CLELLAN, Dean of Guild;

WILLIAM JEFFREY, Treaſurer;

Council, and Deacons of Crafts, being conveened in Council.

CONSIDERING, *That albeit there have been many good Acts made by them, againſt* Prophanity *and* Vice, *ſince the late Revolution, and particularly ſince the Year* 1700; *yet there hath not been ſuch a due and vigorous Execution of the ſaid Acts, as were to be wiſhed; One Cauſe whereof may be this, That either the ſaid Acts have worn out of Print, or if otherwiſe, that the ſame*

not having been digeſted into a ſmall Volume by themſelves, do eaſily eſcape the Obſervation of thoſe, to whom the Execution thereof do principally belong: Wherefore, *the Council being willing to obviate the foreſaid Inconveniency,* Do hereby appoint *all Acts of the Town Council againſt* Immorality *and* Vice, *made ſince the ſaid late Revolution, to be reprinted in a ſmall Volume in* 8vo. *with a ſhort* Index, *containing the Penalties to be inflicted upon the Tranſgreſſors of the ſaid Acts. And to the End the ſaid Work may be the more acceptable, the Council* Appoints *the Proclamation of the Privy Council, containing the Abridgment of the Acts of Parliament againſt* Prophaneneſs, *dated the 25th of* January 1698 *Years, to be alſo reprinted, and prefixed to the foreſaid Acts of Town Council, with an* Index *relative to the ſaid Acts.*

Extracted,

ADAM WATT.

A Proclamation againſt Profaneneſs.

WILLIAM, by the Grace of GOD, King of *Great Britain*, *France* and *Ireland*, Defender of the Faith; To Macers of our Privy Council, Meſſengers at Arms, our Sheriffs in that Part, conjunctly and ſeverally, ſpecially conſtitute, Greeting: *For aſmuch as*, notwithſtanding of the many good Laws and Acts of Parliament made againſt Profaneneſs, and for the reſtraining and ſuppreſſing of Vice and Immoralities, the ſame do ſtill abound, to the great Diſhonour of God, the Reproach of the true Proteſtant Religion, and to the Hurt and Prejudice of the Peace and Govern-

vernment of the Realm; and we being reſolved, as it hath always been our Care, to have theſe Laws and Acts of Parliament put to due and vigorous Execution; and conceiving, that the printing and publiſhing of an Abbreviate of the ſaid Acts, duly collected and laid together, for the better Information and Inſtruction of all our Judges, Officers and Miniſters of the Law, and alſo of all our other good Subjects, may be of ſpecial Uſe and Advantage, for their better Obſervation and Execution, according to their full Tenor and Intent: *Therefore*, and in anſwer to an Addreſs, preſented to the Lords of our Privy Council, by the Commiſſioners of the late General Aſſembly of this Church, for that Effect; We, with Advice of the ſaids Lords of our Privy Council, have thought fit, and do hereby appoint the Abbreviate and Liſt of the ſaids Acts hereto

hereto ſubjoined, to be printed, and duly publiſhed at all the Market-croſſes of the Head Burghs of the Shires, Stewartries, Regalities and Bailliaries of this Realm. And further, That in all Time coming, this preſent Proclamation, with the Abbreviate and Liſt thereto ſubjoined, be publickly read twice every Year in all the Pariſh Churches and Congregations within this Kingdom, to wit, on the firſt Lord's Day after each Term of *Whitſunday* and *Martinmas* yearly, after the Forenoon's Sermon, and before the diſſolving of the Congregation; and that all Presbyteries be careful to have this Publication conſtantly and ſolemnly made in all Churches within their Bounds, with ſuitable and pertinent Exhortations, as they will be anſwerable: And we peremptorily command and charge all Judges, Magiſtrates and Officers of the Law whatſoever, each of them within

within their Bounds and Juriſdictions, and as they are thereto reſpectively impowered, to be careful to put the foreſaids Laws above, and aftermentioned, to due and exact Execution, upon their higheſt Peril. *Follows* the Liſt and Abbreviate of the Laws againſt Profaneneſs, and for ſuppreſſing of Vice and Immorality. 1*mo*, Act 21. *Charles* II. Parl. 1. Seſſ. 1. intituled, *Act againſt the Crime of Blaſphemy*, That whoſoever, not being diſtracted in his Wits, ſhall rail upon or curſe God, or any of the Perſons of the Bleſſed Trinity, ſhall be proceſſed before the Chief-Juſtice, and being found guilty, ſhall be puniſhed with Death: As alſo, whoſoever ſhall deny God, or any of the Perſons of the Bleſſed Trinity, and obſtinately continue therein, being proceſſed and found guilty, ſhall be puniſhed with Death. *Item*, The Act of our firſt Parliament, Seſſ. 5. Chap. 11.

11. ratifying the foreſaid Act, and further ſtatuting, That whoever hereafter ſhall, in their Writing or Diſcourſe, deny, impugn or quarrel, argue or reaſon againſt the Being of God, or any of the Perſons of the Bleſſed Trinity, or the Authority of the Holy Scriptures of the Old and New Teſtament, or the Providence of God in the Government of the World, ſhall, for the firſt Fault, be puniſhed with Impriſonment, ay and while they give publick Satisfaction in Sackcloth to the Congregation in which the Scandal was committed; and for the ſecond Fault, the Delinquent ſhall be fined in a Year's valued Rent of his real Eſtate, and the twentieth Part of his free perſonal Eſtate; the equal Half of which Fines to be applied to the Poor of the Pariſh where the Crime ſhall be committed, and the other Half to the Informer, beſides his being im-

priſoned, ay and while he again make Satisfaction, as above; and for the third Fault, he ſhall be puniſhed by Death, as an obſtinate Blaſphemer: And all Magiſtrates and Miniſters of the Law, and Judges in this Kingdom, are authoriſed and required to put this Act in Execution, as to the firſt Fault; as are all Sheriffs, Stewarts, Baillies of Bailliaries and Regalities, and their Deputes, and Magiſtrates of Burghs, to put the ſame in Execution, as to the ſecond Fault; remitting the Execution thereof, as to the third Fault, to the Lords of his Majeſty's Juſticiary. *2do*, All Laws and Acts of Parliament made againſt Curſing and Swearing, as Act Q. *Mary*, Parl. 5. Chap. 16. whereby it is ſtatute, That whoſoever ſwears abominable Oaths, and deteſtable Execrations, ſhall be puniſhed with the pecuniary Mulcts, and other Pains contained in the ſaid

ſaid Act. Act *James* VI. Parl. 7. Chap. 103. ratifying the foreſaid Act, with an Augmentation of the Pains; and that Cenſors be appointed in the Market-place of all Boroughs, and other publick Fairs, with Power to put the Swearers of abominable Oaths in Ward, while they have paid the ſaids Pains, and find Surety to abſtain in Time coming, and that by Direction and Commiſſion of the Sheriffs, Stewarts, Baillies, Provoſts, Baillies of Boroughs, Lords of Regalities, and other ordinary Officers; and that all Houſholders delate to the Magiſtrates the Names of the Tranſgreſſors of this preſent Act within their Houſes, that they may be puniſhed, under the Pain to be eſteemed and puniſhed as Offenders themſelves; and that if the ſaid Magiſtrates be remiſs or negligent in the Execution of this Act, they ſhall, upon Complaint, be called before us,

us, and our Privy Council, and committed to Ward during Pleaſure, and find Surety, under great Pains, at our Sight, for their exact Diligence in executing the ſaid Act thereafter. Act *Charles* II. Parl. 1. Seſſ, 1. Chap. 19. ratifying and approving all Acts of Parliament againſt all Manner of Curſing and Swearing. And further declaring, That each Perſon who ſhall blaſpheme, ſwear or curſe, ſhall be liable in the Pains following: Each Nobleman in twenty Pounds *Scots*, each Baron in twenty Merks, each Gentleman, Heretor or Burgeſs in ten Merks, each Yeoman in forty Shillings *Scots*, each Servant in twenty Shillings, *toties quoties*, each Miniſter in the fifth Part of his Year's Stipend; and if the Party Offender be not able to pay the Penalties foreſaid, then to be exemplarily puniſhed in his Body, according to the Merit of his Fault.

And

And this Act is again ratified, *Ch.* II. Parl. 2. Seſſ. 3. Chap. 22. which contains a diſtinct and particular Method, how and by whom it ſhall be execute. 3*tio*, All Laws and Acts of Parliament for Obſervation of the *Sabbath*, or Lord's Day, as Act *James* VI. Parl. 6. Chap. 71. That there be no Markets nor Fairs holden upon the *Sabbath* Day, nor yet within the Kirk or Kirk-yards that Day, or any other Day; and that no Handy-Labour be uſed upon the *Sabbath* Day, under the Pain of ten Shillings *Scots*; and that no Gaming, Playing, paſſing to the Taverns and Alehouſes, or ſelling of Meat or Drink, or wilful remaining from the Pariſh-Kirk in Time of Sermon, or Prayers, upon the *Sabbath* Day be uſed, under the Pains of twenty Shillings *Scots*; and who refuſe, or are unable to pay the ſaids Pains, ſhall be put and holden in the Stocks, or

ſuch other Engine deviſed for publick Puniſhment, by the Space of twenty four Hours; and this Act, as to the diſcharging of Fairs and Markets holden on the *Sabbath* Days, ratified, *James* VI. Parl. 13. Chap. 159. and again ratified againſt theſe who profane the *Sabbath* Day, by ſelling or preſenting Goods to be ſold upon the ſaid Day; and the Pain of the third Tranſgreſſion declared to be Eſcheat of their haill Goods, and Puniſhment of their Perſons at our Will. *James* VI. Parl. 14. Chap. 198. *Item*, Act 18. *Charles* II. Parl. 1. intituled, *Act for the due Obſervation of the* Sabbath *Day*, Ratifying and approving all former Acts of Parliament made for Obſervation of the *Sabbath* Day, and againſt the Breakers thereof, and diſcharging all Going of Salt-pans, Mills or Kilns, under the Pain of twenty Pounds *Scots*, to be paid by the Heretors

retors and Poſſeſſors thereof; and all Salmon-fiſhing, hiring of Shearers, carrying of Loads, keeping of Markets, or uſing of Merchandice on the ſaid Day, and all other Profanations thereof, under the Pain of ten Pounds *Scots*, the one Half whereof to be paid by the ſaid Fiſher, and Shearer hired, and the other Half by the Perſons hiring; and if the Offender be not able to pay the ſaids Penalties, that he be exemplarily puniſhed in his Body, according to the Merit of his Fault; and this Act ratified, *Charles* II. Parl. 2. Seſſ. 3. Chap. 22. 4*to*, The Act *Charles* II. Parl. 1. Seſſ. 1. Chap. 20. intituled, *Act againſt Curſing and Beating of Parents*, whereby it is ſtatute, That whoſoever, Son or Daughter, above the Age of 16 Years, not being diſtracted, ſhall beat and curſe either their Father or Mother, ſhall be put to Death without Mercy, and

ſuch

ſuch as are within the Age of ſixteen Years, and paſt the Age of Pupillarity, to be puniſhed at the Arbitriment of the Judge, according to their deſerving. *5to*, All Acts againſt Drunkards and exceſſive Drinking, ſuch as the Act *Ja.* VI. Parl. 22. Chap. 20. whereby it is ſtatute, That all Perſons convict of Drunkenneſs, or of haunting of Taverns and Ale-houſes after ten Hours at Night, or at any Time of the Day, except in Time of Travel, or for ordinary Refreſhment, ſhall, for the firſt Fault, pay three Pounds, or, if unable, or refuſing, be put in Joggs or Priſon for the Space of ſix Hours; for the ſecond Fault five Pounds, or if unable, or refuſing, to be kept in Stocks or Priſon for the Space of twelve Hours; and for the third Fault, to pay ten Pounds, or in caſe foreſaid, to be kept in Stocks or Priſon for the Space of twenty four

four Hours: If they tranſgreſs thereafter, to be committed to Priſon till they find Caution for their good Behaviour. *Item*, The Act *Charles* II. Parl. 1. Chap. 19. Ratifying all former Acts againſt the Crime of exceſſive Drinking, declaring, *That whoſoever ſhall drink unto Exceſs, ſhall be liable, each Nobleman in twenty Pounds* Scots, *each Baron in twenty Merks, each Gentleman, Heretor or Burgeſs in ten Merks, each Yeoman in forty Shillings, each Servant in twenty Shillings* Scots, toties quoties; *each Miniſter in the fifth Part of his Year's Stipend; and that the Offender unable to pay the foreſaids Penalties, be exemplarily puniſhed in his Body according to the Merit of his Fault*. 6*to*, The Laws and Acts of Parliament made againſt Adulterers, as Queen *Mary*, Parl. 5. Chap. 20. whereby it is ſtatute, *That manifeſt and incorrigible Adulterers, after*

after the Proceſs of Haly-Kirk, ſua far as the ſamen may extend, is uſed upon them, for their Diſobedience and Contemption, be denounced Rebels and put to the Horn, and all their Moveables inbrought as eſcheat, and no Appellation interponed frae the ſaid Cenſures of Haly-Kirk to ſuſpend the Horning. Act Queen *Mary*, Parl. 9. Chap. 74. *That all notour and manifeſt Committers of Adultery be puniſhed with all Rigour unto the Death, as well the Woman as the Man, after due Monition made to abſtain frae the ſaid notour Crime; and that for other Adultery, the Acts and Laws made thereupon of before be put to Execution with all Rigour.* And the Act *James* VI. Parl. 7. Chap. 105. whereby it is declared, *That it ſhall be judged notour and manifeſt Adultery, wordie of the Pain of Death, whoever has Bairns, one or moe, procreate betwixt the Perſons Adulterers,*

rers, or when they keep Company in Bed together notoriouſly known, or when they are ſuſpect of Adultery, and duly admoniſhed by the Kirk to abſtain, and ſatisfy the Kirk by Repentance and Purgation, yet contemptuouſly refuſing, are excommunicate for their Obſtinacy. 7*mo*, All Laws and Acts of Parliament made againſt Fornication, as Act *Ja.* VI. Parl. 1. Chap. 13. ſtatuting, *That who ſhall commit the filthy Vice of Fornication, ſhall, for the firſt Fault, as well the Man as the Woman, pay the Sum of forty Pounds, or then both he and ſhe ſhall be impriſoned for the Space of eight Days, their Food to be Bread and ſmall Drink, and thereafter preſented to the Market-place of the Town or Pariſh Bare-headed, ſhall there ſtand faſtened, that they may not remove for the Space of two Hours; for the ſecond Fault, the Sum of One hundred Merks, or then the fore-*

forenamed Days of their Impriſonment ſhall be doubled, their Food to be Bread and Water allenarly, and thereafter ſhall be preſented to the Market-place, and the Heads of both the Man and the Woman to be ſhaven. And for the third Fault, One hundred Pounds, or elſe the above Impriſonment to be tripled, their Food to be Bread and Water allenarly; and thereafter to be taken to the deepeſt and fouleſt Pool or Water of the Town or Pariſh, and there to be thrice doucked, and then baniſhed the ſaid Town and Pariſh for ever; and how oft any Perſon ſhall be convict thereafter of the ſaid Vice of Fornication, that ſo oft the third Penalty be execute upon them. Item, The Act *Charles* II. Parl. 1. Chap 38. Impowering the Juſtices of Peace to put in Execution Acts of Parliament for puniſhing the Perſons guilty of Fornication, and that they cauſe them pay the pecu-

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nial Sums following: Each Nobleman, for the firſt Fault, Four hundred Pounds, each Baron Two hundred Pounds, each other Gentleman or Burgeſs One hundred Pounds, every other Perſon of inferior Quality ten Pounds *Scots* Money; and that theſe Penalties be doubled, *toties quoties*, according to the Relapſes and Degrees of the Offence, and Quality of the Offenders; and that they be paid not only by the Man, but alſo by the Woman, according to her Quality, and the Degree of her Offence, the one without Prejudice of the other. *Item*, The ſaid Act *Charles* II. Parl. 1. Seſſ. 1. Chap. 38. ſtatutes, That the Juſtices of Peace put in Execution all Acts of Parliament, for puniſhing all Perſons who ſhall be Mockers or Reproachers of Piety, or the Exerciſe thereof, and cauſe them pay the Penalties contained in the forementioned Act of Parliament againſt

profane Swearing. *Item*, The Act of our firſt Parliament, Seſſ. 5. Chap. 13. intituled, *Act againſt Profaneneſs*, ſtrictly requiring and enjoining, That all Sheriffs and their Deputes, Stewarts and their Deputes, Baillies of Bailliaries, and their Deputes, Magiſtrates of Burghs Royal, and Juſtices of Peace, within whoſe Bounds any of the ſaids Sins of Curſing, Swearing, Drunkenneſs, Fornication, Profanation of the Lord's Day, and Mocking and Reproaching of Religion, ſhall happen to be committed, to put the ſaids Acts to exact and punctual execution at all Times, without Neceſſity of any Diſpenſation, and againſt all Perſons, whether Officers, Soldiers, or others without Exception; certifying, That ſuch of the ſaids Judges as ſhall refuſe, neglect, or delay to put the Laws made againſt the ſaid Sins in Execution, upon Application of any Miniſter

or Kirk-ſeſſion, or any Perſon in their Name offering Information, and ſufficient Probation, ſhall, *toties quoties*, be ſubject and liable to a Fine of One hundred Pounds *Scots*; for which they may be purſued at the Inſtance of the Agent of the Kirk, or Miniſter of the Pariſh, by ſummar Proceſs, without the Order of the Roll. *Item*, The 21 Act of Seſſ. 2. of the current Parliament, dated 19th *July* 1690, intituled, *Act anent murdering of Children*; whereby it is ſtatute, *That if any Woman ſhall conceal her being with Child during the whole Space, and ſhall not call for, and make uſe of Help and Aſſiſtance in the Birth, the Child being found dead or amiſſing, the Mother ſhall be holden and repute the Murderer of her own Child, tho' there be no Appearance of Bruiſe or Wound upon the Body of the Child.* All which Acts above mentioned are hereby ordered

to

to be publiſhed, only for Superabundance, and the better Information of our Lieges, without the leaſt Derogation to other Acts or Laws not publiſhed in this Manner. OUR WILL IS HEREFORE, and we Charge you ſtrictly and Command, That incontinent theſe our Letters ſeen, ye paſs to the Market-croſs of *Edinburgh*, and to the remanent Market-croſſes of the Head-burghs of the ſeveral Shires and Stewartries within this Kingdom, and in our Name and Authority make Publication hereof, that none may pretend Ignorance; and we ordain our Solicitor, to diſpatch Copies hereof to the Sheriffs of the ſeveral Shires, and Stewarts of Stewartries, and their Deputes or Clerks, to be by them publiſhed at the Market-croſſes of the Head-burghs upon Receipt thereof, and immediately ſent to the ſeveral Miniſters, to the Effect the ſame may be read and intimate

timate at their Pariſh Churches, upon the Lord's Day, immediately following the Publication hereof at the ſaid Market-croſſes. And ordains theſe Preſents to be printed and publiſhed in Manner foreſaid.

Given under our Signet at Edinburgh, *the 25th Day of* January, *and of our Reign the Ninth Year,* 1698.

Per. Actum Dominorum Secreti Concilii.

GILB. ELIOT, *Cls. Sti. Concilii.*

ACT of Town-Council, againſt Profaneneſs.

Edinburgh, *9th of* Auguſt, 1693.

THE which Day, the Lord Provoſt, Baillies, Council and Deacons of Crafts, Ordinar and

Extraordinar, being conveened in Council, conſidering that the Profanation of the Lord's Day, exceſſive Drinking and Drunkenneſs, profane Swearing and Curſing, and other Immoralities, are diſcharged by ſeveral Acts of Parliament, under certain Penalties therein contained, and particularly, That by Act 3. Parl. 6. K. *James* VI. it is ſtatute and ordained, That there be no Markets holden, nor Handy-labouring, or Working uſed on the *Sabbath* Day, or paſſing to Ale-houſes, or Taverns, or ſelling of Meat or Drink; or wilful remaining from their Pariſh Church in Time of Sermon, under the reſpective Penalties contained in the ſaid Act; which act is ratified by Act 1. Parl. 13. and by Act 6. Parl. 14. of the ſaid King *James*, as alſo particularly mentioned in the Act 18. Seſſ. 1. Parl. 1. of K. *Charles* II. whereby all former Acts made for Obſervation

vation of the *Sabbath* Day are ratified, and all keeping of Markets, or uſing any Sort of Merchandice on the ſaid Day, and all other Profanation thereof, is expreſly diſcharged, under the Penalty of ten Pounds *Scots* at leaſt; and if the Party Offender be not able to pay the Penalty foreſaid, then to be exemplarily puniſhed in his Body according to the Merit of his Fault. Likeas, by the Act *James* VI. Parl. 22. Chap. 20. it is ſtatute, That Perſons convict of Drunkenneſs, and haunting of Taverns and Ale-houſes, after ten of the Clock at Night, or any Time of the Day, except the Time of Travel, or for Refreſhment, pay for the firſt Fault three Pounds *Scots*, or be put in Joggs or Goal ſix Hours; for the ſecond, five Pounds, or to be put in Joggs or Goal twelve Hours; and for the Third, ten Pounds, or to be put in Stocks or Goal twenty four Hours:

Hours: And if they thereafter tranſgreſs, to be put in Goal, till they find Caution for their better Behaviour. And that by the Act *Charles* II. Parl. 1. Seſſ. 1. Chap. 19. all former Acts againſt Drunkenneſs are ratified. And it is further ſtatute, That who drink to Exceſs ſhall pay, the Nobleman twenty Pounds, the Baron twenty Merks, the Gentleman, Heretor, or Burgeſs ten Merks; the Yeoman forty Shilling, and the Servant twenty Shilling, *toties quoties*, and the Miniſter the fifth Part of his Stipend; and that thoſe unable to pay be puniſhed in their Perſons. Both which Acts are again ratified, *Charles* II. Seſſ. 3. Act 22. Likeas, by the Act Queen *Mary*, Parl. 5. Chap. 16. Profane Swearing of abominable Oaths, and deteſtable Execrations is forbid, under the particular Pains therein expreſs'd; which Pains ariſing gradually, for the repeated Tranſ-

Tranſgreſſions, do at length end in Baniſhment, or Impriſonment for Year and Day. Which Act is, by the Act *James* VI. Parl. 7. Chap. 103. ratified, with an Augmentation of the Pains. And it is further ſtatute, That Magiſtrates to Burgh and Landward, appoint Cenſors in publick Markets and Fairs, with Power to exact the ſaid Pains, and that Houſholders delate Offenders within their Houſe, under the Pain to be eſteemed as Offenders themſelves. And the ſaid Acts againſt profane Curſing and Swearing are again ratified, *Charles* II. Parl. 1. Seſſ. 1. Act 19. whereby it is further ſtatute, That who ſhall blaſpheme, ſwear or curſe, ſhall pay, the Nobleman twenty Pounds, the Baron twenty Merks, the Gentleman, Heretor or Burgeſs ten Merks, the Yeomen forty Shilling the Servant twenty Shilling, *toties quoties*, and the Miniſter the fifth

fifth Part of his Stipend, and the Perſons inſolvent to be puniſhed in their Perſons. Which Acts are of new ratified, *Charles* II. Seſſ. 3. Chap. 22. All which Acts are again ratified and revived by Act 40. of Seſſ. 4. of this current Parliament, and ordained to be put to ſtrict Execution with all Diligence. Notwithſtanding of all which Acts, and the moſt holy and expreſs Law of God, the Foundation thereof, and the many Promiſes and Threatnings contained in his Word, for the eſtabliſhing the ſame; yet it is moſt manifeſt, and cannot be enough regreted, that the aforeſaid Tranſgreſſions and Exceſs do every where abound, to the Diſhonour of God, and the Reproach of the Proteſtant Religion: Therefore the Lord Provoſt, Baillies, and Council of this Burgh, do hereby declare, That they will be careful to ſee the foreſaid Acts of Parliament ſtrictly obſerved,

ſerved, and the Pains thereof exacted, and executed within all their Bounds and Suburbs, without Exception; and for the better Obſervance of the foreſaids Acts made againſt the Profanation of the Lord's Day, they ſtrictly prohibit and diſcharge all Perſons whatſoever within this City or Suburbs, to brew, or to work any other Handy-work or Labour on the Lord's Day, or to be found on the Streets ſtanding or walking idly, or to go in Company, or vague to the *Caſtle-Hill*, publick Yards or Fields on that Day, at any Time thereof; and diſcharge all Perſons to go to Alehouſes or Taverns, for Eating or Drinking in Time of Sermon, or unſeaſonably or unneceſſarily at any Time on the Lord's Day; and all Keepers of Taverns and Ale-houſes, to ſell any Time of the ſaid Day, to the ſaids Perſons, any Meat or Drink to be eaten or drunken otherwiſe

wiſe than as above expreſs'd; as alſo all Perſons to bring in Water from the Wells to Houſes on that Day, iu greater Quantities than ſingle Pints. Certifying all ſuch Perſons who ſhall contraveen thir Preſents, as alſo all Parents and Maſters, who ſhall not reſtrain their Children, Apprentices and Servants, that they ſhall be fined in ten Pounds *Scots* for every ſuch Deed of Contravention; and if the Party Offender be not able to pay the Penalty foreſaid, then he or ſhe ſhall be exemplarily puniſhed in his or her Body, according to the Merit of the Fault. And appoints this Act to be printed and publiſhed, that none may pretend Ignorance.

Extracted by

ÆNEAS M'LEOD.

ACT

ACT anent Women-Servants, who have been guilty of Uncleanneſs, being in Taverns, &c.

Edinburgh, 13*th* December, 1699.

THE which Day, the Lord Provoſt, Baillies, and Council of this City, conſidering, That by ſeveral Acts made, and Proclamations emitted by them, purſuant to many Acts of Parliament, and Acts of the General Convention of the Royal-Burrows, the keeping and employing of Women-Servants for retailing Liquors in Taverns, Cellars, drinking Shops, and other Places where Liquors are ſold by Retail, is peremptorily diſcharged, as a great Snare to the Youth, and Occaſion of Leudneſs and Debauchery; and alſo conſidering, That

the Perſons concerned, have been ſo far from giving Obedience to theſe laudable Acts and Proclamations, that on the contrary, they have entertained, and yet keep in their Service, for vending and retailing Ale and other Liquors in Cellars, and other Places above mentioned, Women who have been guilty of Fornication; which Practice hath yet a more dangerous Tendency to the corrupting of Youth, and will, in all Probability, occaſion a great Growth of Immorality, which doth already too much abound, to the Diſhonour of God, and Scandal of Chriſtianity: Therefore the Magiſtrates and Town-Council of this City, for ſuppreſſing and reſtraining ſuch dangerous and evil Cuſtoms, in the mean Time, until Methods ſhall be fallen upon for putting in Execution the foreſaid Acts againſt retailing Liquors by Women-Servants in general, and with-

without any Prejudice thereto; do peremptorily diſcharge all Vintners and Taverners, Inn-keepers and others, to employ and keep in their Service ſuch Women as have been guilty of Fornication, or ſhall be guilty thereof in Time coming, for retailing Wine, Ale, or other Liquors, in Houſes, Shops, Cellars and other Places, within this City and Suburbs, under the Penalty of One hundred Pounds *Scots*, to be paid by the Maſters or Miſtreſſes where ſuch Servants ſhould be found, *toties quoties*, they being conſcious of the ſaid Guilt of their Servants, attour the Servants Baniſhment; and ordains ſuch Maſters and Miſtreſſes as have ſuch Servants for Retailing, at preſent, to remove them from the ſaid Service immediately, under the Penalty foreſaid; certifying all ſuch Maſters and Miſtreſſes, and Servants, who ſhall contraveen, that the foreſaid Penalties

ties ſhall be inflicted and exacted without Abatement, and that the Maſters and Miſtreſſes ſhall be liable from ſuch Time as their Knowledge of their Servants Guilt, after this Proclamation, ſhall be proven; and ſeparately, that they ſhall be repute to have known, from and after due and juſt Intimation of the ſaid Guilt, made by the Elders or Church Treaſurer. And to the end this Act may be more effectually and punctually obſerved, the Council recommends to the Elders and Deacons, and Church Treaſurer for the Time, to ſearch their reſpective Bounds termly, or oftner as Need requires, that they may diſcover ſuch Servant-Women; and if any be found, to delate them, and their Maſter or Miſtreſs, to the Magiſtrates, to be fined and puniſhed accordingly. And appoints this Act to be publiſhed in the uſual Manner,

Manner, and printed, that none may pretend Ignorance.

Extracted,

JAMES STEUART.

Proclamation againſt Immoralities.

Edinburgh, 27*th* December, 1700.

THE which Day, the Lord Provoſt, Baillies, Council and Deacons of Crafts, Ordinar and Extraordinar, being conveened in Council, Taking to their ſerious Conſideration the great Increaſe and Growth of Curſing, Swearing, *Sabbath*-breaking, and other groſs Immoralities in this Place, to the Diſhonour of God, and Scandal of Religion; and they being very deſirous to ſuppreſs the ſamen to the outmoſt of their Power; *Therefore*,

in Obedience to the Law of God, the ſeveral good Laws and Acts of Parliament made againſt Profaneneſs, an Abſtract whereof is read in the Churches termly; and purſuant of ſeveral Acts of the Town Council, for ſuppreſſing the ſaid Immoralities, *Do hereby ſtrictly prohibite and diſcharge* all Perſons whatſomever within their Bounds, to preſume to Curſe, Swear, or Blaſpheme the Holy Name of God, or to profane the Lord's Day, or to commit any other of the Crimes prohibite in the ſaid Acts; with Certification, the Contraveeners ſhall be proceeded againſt, without Feud or Favour, conform to the ſaid Laws made thereanent, and that the Penalties of the ſaid Laws and Acts ſhall be inflicted and exacted without Abatement; and that ſuch as are unwilling, or unable to pay the pecuniary Mulcts, ſhall be ſet in Pillory or Joggs made for that Effect,

ſect, or otherwiſe puniſhed according to Law. And *ordains* thir Preſents to be proclaimed by Tuck of Drum in the uſual Manner, and printed, and thereafter affixed in the ordinary Places for further Publication.

Extracted,

JAMES STEUART.

ACT for preventing the Profanation of the Lord's Day.

Edinburgh, 28*th* February 1701.

THE which Day, the Lord Provoſt, Baillies, Council, and Deacons of Craſts, being conveened in Council, in Proſecution of ſeveral Acts of Parliament, Acts and Statutes of this Burgh, and for the more effectual preventing of the Profanation of the Lord's Day, ratify

tify and approve all former Acts made againſt the ſame, and other Immoralities; and particularly, *An Act againſt Profaneneſs*, dated the 9th *Auguſt* 1693; and another Act, dated the Day of 1699. And do further prohibite and diſcharge all Keepers of Taverns, Ale-houſes, Victualling-houſes, or Cellars, within this Burgh and Suburbs thereof, to entertain any Perſons, or furniſh any Kind of Drink unto them within Doors, at any Time of the Lord's Day; with this Exception, That Victualling-houſes may furniſh Victuals, and ſo much Drink as ſhall be neceſſar thereto, betwixt Sermons, and betwixt Six and Eight of the Clock at Night allenarly, and that only to Strangers, or ſuch as have not houſes of their own in the Place, under the Penalty of Half a Rix-Dollar, to be paid by the Maſter or Miſtreſs of the Houſe, for each

each Perſon that ſhall be entertained therein, as ſaid is; and this but Prejudice to the exacting of the Penalties contained in the Acts of Parliament againſt Drunkenneſs, from the Perſons guilty of exceſſive or unſeaſonable Drinking, on that or any other Day. And in like Manner, they do ſtrictly prohibite and diſcharge all Perſons whatſoever, to carry through the Streets, from Houſe to Houſe, any Kind of Clothes, Periwigs, Shoes, or other Apparel, at any Time of the Lord's Day, under the Penalty foreſaid, to be paid by the Maſter of the Servant, or any other that ſhall be found have employed him in this Work; diſcharging alſo hereby Barbers, or others, to Trim or Shave any Perſon, either in their own Houſes, Shops, or elſewhere, at any Time of the ſaid Day, and that under the Penalty foreſaid, to be paid by the Barber, for each Tranſ-

greſſion

greſſion committed by himſelf, or his Apprentice, or Servant; declaring always, That if any Barber, or his Servants, ſhall be found carrying about, from Place to Place, any of their Utenſils for Trimming on the ſaid Day, they ſhall be holden and repute as guilty, and liable to the Fine, as above mentioned. And ſicklike, they do ſtrictly prohibite and diſcharge all Perſons whatſomever, to ſtand idly on the Streets, or walk in the Fields, or upon the *Caſtle-Hill*, on the Lord's Day, under the Penalty foreſaid. And ordains thir Preſents to be printed and publiſhed in the uſual Manner.

Extracted by me,

JAMES STEUART.

ACT

ACT anent the Suppreſſing of Sin, with Inſtructions to the Kirk Treaſurers.

Edinburgh, 2*d* January 1702.

THE which Day, the Lord Provoſt, Baillies, Council, and Deacons of Crafts, Ordinar and Extraordinar, being conveened in Council, the better to ſuppreſs the growing Sin of Uncleanneſs, which ſo much abounds, notwithſtanding of the many good Laws made againſt the ſame, *Statute and Ordain*, That the following Inſtructions be given to the Treaſurers, at their ſucceſſive Elections yearly, *viz.* That he ſhall not compone for, nor give down to Perſons guilty of the Sin of Uncleanneſs, (at leaſt ſuch as are convict thereof before the Kirk-Seſſions) any of the Fines impoſed by Law; but that he ſhall be

be obliged to hold Compt therefore, to the Effect the ſame may be applied in the Terms of the Acts of Parliament; and for that End, they recommend to the Kirk-Seſſions to inſert particularly in their Books, the Quality of the Delinquents, and Degree of the Faults for which they are conveened, that the Quantity of the Fine may appear, and be an Charge upon the Kirk Treaſurer: For which, it is hereby declared, he ſhall be anſwerable, except in ſo far as he ſhall diſcharge himſelf, by inſtructing, that he has given down of the legal Penalty, with Conſent of the Magiſtrates, or Seſſion of the Bounds; or if the Perſons guilty be poor, that he has given them up to be corporally puniſhed, according to Law; and that to the Effect ſcandalous Perſons may not, upon the Pretence of Poverty, eſcape both pecunial and corporal Puniſhment: As alſo, that

the

the Kirk Treaſurer put up timeouſly for the Gift of the ſingle Eſcheat of Perſons guilty of Adultery, for the Uſe of the Poor of the Place. Whereanent theſe Preſents ſhall be a Warrant.

Extracted,

ADAM WATT.

ACT anent Suppreſſing Immoralities; to be read every Council Day, after Whitſunday *and* Martinmas.

Edinburgh, *4th* December 1702.

THE which Day, the Lord Provoſt, Baillies, Council, and Deacons of Crafts, conſidering the great Growth of Immoralities of all Sorts, within this City and Suburbs, and the fearful Rebukes of God by a dreadful Fire in the *Parliament-*

Close, *Kirk-Heugh*, and *Cowgate*, which happened about Midnight, upon the 3d of *February* 1700, and which is recorded in the Council-Books, with their Christian Sentiments thereanent, upon the 24th of *April* thereafter.

As also, remembring that terrible Fire, which happened on the North-side of the *Lawn-Market*, about Mid-day, upon the 28th of *October* 1701, wherein several Men and Women, and Children, were consumed in the Flames, and lost by the Fall of ruinous Walls. And further considering, that most tremenduous and terrible Blowing up of Gun-Powder in *Leith*, upon the 3d of *July* last, wherein sundry Persons were lost, and wonderful Ruins made in the Place. And likewise, reflecting upon other Tokens of God's Wrath, lately come upon us, and what we are more and more threatned with, being moved with the

the Zeal of God, and the Ties he hath laid on us, and that we have taken upon ourſelves to appear for him in our ſeveral Stations, do, in the Lord's Strength, reſolve to be more watchful over our Hearts and Ways than formerly; and each of us, in our ſeveral Capacities, to reprove Vice, with that due Zeal and Prudence, as we ſhall have Occaſion; and to endeavour to promote the vigorous Execution of thoſe good Laws made for ſuppreſſing of Vice, and puniſhing of the Vicious. And the Council appoints this their ſolemn Reſolution to be recorded, and the Clerks to read, or move the reading thereof in the Council, every firſt Council Day, after *Whitſunday* and *Martinmas* yearly, as a laſting and humbling Memorial of the ſaid three dreadful Fires, and that under the Penalty of twenty Merks *Scots*, *toties quoties*. And recommends to the Deacons of Crafts, Captain-Commandant

mandant of the Town Companies, Conſtables, and Merchants of the Merchant-Society, to move making of the like Reſolution, in their reſpective Incorporations and Societies, and to record the ſame in their Books.

Extracted,

ADAM WATT.

ACT againſt Landlords ſetting of Houſes, &c. *to Strangers without Teſtificates.*

Edinburgh, 2*d* March 1703.

THE which Day, the Lord Provoſt, Baillies, Council, and Deacons of Crafts, being conveened in Council, conſidering, That the Number of Vagabonds, Beggars, poor and idle Perſons, have of late increaſed in this Place, whoſe Maintenance is a heavy Burden to the Good

Good Town, and who are the very Source and Nurſery of Thieving, Stealing, breaking of Shops and Houſes, and other groſs Abuſes and Immoralities; and that the Number of thoſe idle and indigent Perſons will ſtill multiply, by reaſon of their reſorting from all Quarters of the Kingdom to this Burgh, except due Care be taken to prevent the ſamen, eſpecially by denying them kindly Reception and Harbour: Therefore, they ſtrictly prohibite all Heretors, Landlords, or others within this Burgh, or Suburbs thereof, to ſet Houſes, Chambers, Shops, or Cellars, to any Strangers coming to this Place in Time coming, or who have come to the ſame ſince *Whitſunday* 1700, who are alſo hereby repute to be Strangers, who have not ſufficient Teſtimonials, to be approven by the Magiſtrates, or Kirk-Seſſions, of their honeſt and good Behavi-

our, and bearing, That they have ſufficient Means of their own, or lawful Callings to maintain them; at leaſt, that they have in the Places from whence they came, lived virtuouſly, without being burdenſome to others, or making any unlawful Shifts for their Livelihood; and that under the Penalty of twelve Pounds *Scots* Money, to be paid by the Landlords, or others, to the Kirk Treaſurer, for the Uſe of the Poor, ſo ſoon as it ſhall be proven againſt them before a Magiſtrate, that they have ſet any Houſes, or others above expreſs'd, to ſuch Perſons wanting Teſtimonials, in the Terms aforeſaid. As alſo, if any Heretor, or Landlord, ſhall ſet any Houſes, and others foreſaids, to Strangers, without Teſtificates, as ſaid is, that the ſaid Heretor or Landlord ſhall be liable for Payment of the Annuity, in caſe his Tenant, through Poverty, ſhall not be

be able to do the ſamen, and that by and attour the Penalty foreſaid; reſerving to them their Relief from their Tenants in both Caſes; and this Act without Prejudice to the exacting the Pains contained in the former Acts againſt Vagabonds, and Perſons wanting Teſtimonials, from ſuch Perſons themſelves. And alſo, hereby ſtrictly diſcharge all Maſters or Miſtreſſes of Families, to hire Servants who have not ſufficient Teſtimonials, as aforeſaid, under the Penalty of three Pounds *Scots*, to be paid to the Kirk Treaſurer, for the Uſe foreſaid, by the Maſter or Miſtreſs ſo hiring their Servants. And appoints thir Preſents to be printed and publiſhed in the uſual Manner.

Extracted,

GEO. HOME.

ACT

ACT againſt Drinking in Taverns after Ten of the Clock at Night.

Edinburgh, *5th* April 1704.

THE whilk Day, the Lord Provoſt, Baillies, Council, and Deacons of Crafts, conſidering, That the frequenting of Taverns, and remaining therein at unſeaſonable Hours in the Night, doth not only corrupt the Youth of this City, but hath alſo pernicious Influence upon debauching all Ranks of Perſons reſorting thereto; and albeit many good and excellent Laws have been already made for reſtraining of the ſaid Vice, yet the ſamen hitherto have not had the deſired Succeſs, and that partly through the Obſtinacy of the Offenders, and partly through the not putting the Laws and Acts already made to a vigorous Execu-

Execution, by which Means Virtue and Piety are under a great Decay, and all Manner of Scandals and Immoralities do daily abound: *Therefore*, the ſaid Lord Provoſt, Baillies, Council, and Deacons of Crafts, do hereby ſtrictly prohibite and diſcharge all the Inhabitants of this Burgh, and others repairing thereto, to abide in Taverns, and other publick Houſes, after Ten a Clock at Night, conform to the former Acts, and that under the Penalties therein contained. Certifying alſo all Taverners and Keepers of publick Houſes within this City, who ſhall harbour and reſet any Perſon or Perſons after the Time preſcribed by the ſaids Laws, they ſhall be proceeded againſt with all Rigour. And to the End theſe Preſents may have a due Effect, the ſaid Lord Provoſt, Baillies, Council, and Deacons of Crafts, do command and charge all Conſtables,

and

and others within their reſpective Bounds, to ſee the Execution hereof, as they will be anſwerable thereanent. And in like Manner, the Captains of the Town-Guard are commanded to cauſe the Soldiers, that nightly go the Rounds after Ten at Night, to obſerve, if they find Lights and Companies drinking in Taverns after the ſaid Hour, and delate theſe Houſes and others, together with ſuch Perſons as they find drunk upon the Streets, to the Magiſtrates the next Day, to the End that diſorderly Houſes and Perſons may be diſcovered, and brought to condign Puniſhment. And ordains theſe Preſents to be printed and publiſhed in common Form, that none may pretend Ignorance.

Extracted by,

ADAM WATT.

ACT

ACT againſt Burgeſſes guilty of Adultery, and Trilapſe in Fornication.

Edinburgh, 12*th* April 1704.

THE which Day the Lord Provoſt, Baillies, Council, and Deacons of Crafts, Ordinar and Extraordinar, being conveened in Council, taking to Conſideration, how much the horrid and abominable Sins of Adultery and Fornication do abound in this City, which is like to draw down Wrath upon this Place, if God in his infinite Mercy do not avert; do therefore declare, That they are reſolved to put the Acts of Parliament againſt theſe abominable Sins, to ſtrict and vigorous Execution. And further, for the more effectual reſtraining and puniſhing thereof, do hereby enact, ſtatute and ordain, That for here-

hereafter, the Perſons guilty of the ſaids Sins, ſhall not only be fined and puniſhed, according to the ſeveral Acts of Parliament thereanent; but alſo, that all Burgeſſes convict of Adultery, or trilapſe in Fornication, ſhall, from that Time, loſe their Privilege of Burgeſs in this Burgh and Suburbs, and thereupon their Burgeſs Tickets is declared void and null to all Intents and Purpoſes, and they declared incapable of being readmitted, until they produce ſufficient Evidence of their having removed the ſaid Scandals in an orderly Way, according to the Acts and Practice of this Church, and have paid the civil Penalties. And likewiſe, if any ſhall be delated for the ſaids horrid Sins of Adultery, or Trilapſe in Fornication, and prove contumacious, and refuſe to compear and purge the ſaid Scandal in an orderly Way, that Perſon is to loſe his Privi-

Privilege as Burgeſs of this City, as ſaid is; but, upon Production of a Certificate of their having been again received to the Church, and having paid the Civil Penalties, they may be admitted to their former Privileges, and have a new Burgeſs Ticket, upon their paying the uſual Dues exacted of each Burgeſs at their firſt Admiſſion. And *laſtly*, Appoints theſe Preſents to be publiſhed and printed, that none may pretend Ignorance.

Extracted,
ADAM WATT.

ACT againſt Playing at Cards and Dice, &c.

Edinburgh, 12*th* April 1704.

THE which Day, the Lord Provoſt, Baillies, Council, and Deacons of Crafts, Ordinar and Ex-

traordinar, being conveened in Council, taking to their Conſideration, That the playing at Cards and Dice in Coffee-houſes, Taverns, and other publick or common Houſes, is found to be the Occaſion of horrid Curſing, Swearing, Quarrelling, Strife, Contention, Covetouſneſs, Tippling, Loſs of Time, Neglect of neceſſary Buſineſs, and many other Inconveniencies, which hath ruined the Eſtates of many, and redacted them and their Families to Poverty. And finding, that the ſaids unlawful Games of Cards and Dice, are prohibite and diſcharged by the Act *James* VI. Parl. 23. Chap. 14. do therefore, according to that Act, ſtatute and ordain, That no Perſon or Perſons preſume to play at Cards and Dice in any Coffee-houſe, Tavern, or other publick or common Houſes within this City, or Privilege thereof, under the Penalty of forty Pounds

Pounds *Scots*, to be exacted off the Keepers of the ſaids Houſes where the Tranſgreſſion is found, for the firſt Fault; and the Loſs of their Liberty for the next. And for the more ſtrict Execution of the ſaid Act, the Conſtables, and others bearing Office, and holding their Places of the Good Town, are hereby appointed to delate ſuch as they know to contraveen this Act, under the Pain of being liable for the Fine themſelves; and the Informer is to have the one Half of the Fine: And theſe but Prejudice of exacting the other Fines contained in the ſaid Act of Parliament, as Perſons ſhall be found to tranſgreſs the ſame. And *laſtly*, Appoints theſe Preſents to be publiſhed and printed, that none pretend Ignorance.

Extracted,

ADAM WATT.

ACT

ACT for reviving the Kirk-Treaſurer's Inſtructions.

Edinburgh, *5th* January 1705.

THE which Day, the Lord Provoſt, Baillies, Council, and Deacons of Crafts, being conveened in Council, conſidering their Act, of the Date 2d *January* 1702, wherein there are ſeveral Inſtructions given by the Council to the Kirk-Treaſurer, and his Succeſſors in Office; they, of new, ratify and approve of the ſaid Act, and Inſtructions therein mentioned; and ordains the Kirk-Treaſurer, in all Time coming, to obſerve the ſame duly. And further, do hereby prohibite and diſcharge the Kirk-Treaſurer, and his Succeſſors in Office in Time coming, to make any Compoſition with Perſons irregularly married, without Conſent of the Magi-

Magiſtrates for the Time, being previouſly had and obtained thereto. And ordains an Extract of thir Preſents, with the other Act therein mentioned, to be given to the Clerk of the Kirk-Seſſions, and appoints him to read, or move the reading thereof, in the Seſſions yearly, after their Elections; whereanent theſe Preſents ſhall be a Warrant.

Extracted, ADAM WATT.

ORDERS ſet down by the Lord Provoſt, Baillies, and Council of Edinburgh, *to be obſerved by the Conſtables, in Diſcharge of their Offices within this City, and Liberties thereof.*

Edinburgh, 10*th* January 1727.

I. IMprimis, A Conſtable ſhall have Liberty to take and apprehend any ſuſpect Perſons, idle Vagabonds, Night-walkers, and

impriſon them, till they find Surety for their Behaviour, at the Direction of the Lord Provoſt and Baillies of *Edinburgh*.

II. *Item*, A Conſtable ſhall have Power to challenge any Perſon within this Burgh, or Liberty thereof, that ſhall be found wearing Piſtols or Daggers, and ſhall preſent them before the Lord Provoſt, Baillies, or any of them, to be puniſhed for their Fault, conform to the Act of Parliament.

III. *Item*, Upon Appearance of any Fray or Stir within the Burgh, whether by Day or Night, betwixt any Parties, or any other ſudden Accident that may fall forth, the Conſtable ſhall take unto him the Aſſiſtance of the Soldiers of the Town-Guard, Town-Officers, and whole Neighbours, for ſeparating of the Parties, and ordering any Inconveniency that ſhall happen to enſue, and ſhall take the Party or Parties, and commit them in *Ward*, or preſent them to the Lord Provoſt

voſt or Baillies: And if any Harm ſhall happen to be done to the Conſtable, or any of his Aſſiſtants, the Conſtables ſhall take them, and put them in *Ward*, and preſent them to the Lord Provoſt and Baillies, or any of them, to be accordingly puniſhed for their Fault.

IV. *Item*, If any Perſon or Perſons make any *Plea* or *Tumult* within this Burgh, and flee to any Houſe, the Conſtable ſhall have Power to *break* up the Doors thereof: And albeit the Party or Parties flee without the Bounds of the Conſtable's *Charge*, yet the Conſtables may follow and *apprehend* him or them in a freſh Purſuit, and commit them to *Ward* to be puniſhed for their Fault.

V. *Item*, The Conſtable ſhall *take* and *apprehend* all *Vagabonds*, and *ſturdy Beggars* or *Egyptians*, and put them in *Ward*, to be puniſhed for their Fault, according to the Act of Parliament.

VI. *Item*,

VI. *Item*, The Conſtable ſhall *take* and *apprehend* all idle Perſons who have not a Calling to live by, and who will not take themſelves to ſome Labour, Trade or Occupation, and ſhall *incarcerate* them, or put them in the Guard, or preſent them before the Lord Provoſt, or any of the Baillies, who (after Examination and Trial) ſhall puniſh them according to their Demerit and Crime.

VII. *Item*, The Conſtables being informed of any Perſon guilty or culpable of *Slaughter*, *Murder*, *Theft*, or any other capital Crime whatſoever, ſhall then require his Neighbours to aſſiſt him, for the ſafe apprehending and conveying ſuch Perſons to the Lord Provoſt and Baillies, to be puniſhed for their Fault.

VIII. *Item*, The Conſtable ſhall ſearch and ſeek the Bounds committed to his Charge, and ſuffer no *Vagabonds*, *Beggars*, or *infamous Perſons*, *Prieſts* or *Jeſuites*, keeping

ing private Maſſes, to remain, dwell, or be reſet in his Bounds: And if any be within his ſaid Bounds, he ſhall preſently inform the Magiſtrates, that they may be puniſhed and removed forth of this City conform to Law.

IX. *Item*, That ilk Conſtable ſhall concur with another at all Occaſions needful.

X. *Item*, The whole Conſtables ſhall, upon every laſt *Monday* of every Month, at Eight a-Clock in the Morning, compear and preſent themſelves before the Lord Provoſt, and Baillies in Council-houſe, to give an Account of their Diligence in their Offices, as they will anſwer upon their Obedience.

XI. *Item*, Ilk Conſtable within his Bounds, or any where elſe, within the City and Liberties thereof, ſhall notice all Bawdy-houſes, take and apprehend all *Banners*, *Curſers*, *Swearers*, and *Blaſphemers of God's Name*, *Drunkards*, *Sabbath-breakers*, or other lewd Perſons, either in

in *Streets*, *Markets*, or at the *Wells*, or in *Cellars*, or any *where elſe*, and ſhall puniſh them, either by *Warding*, or the *Conſtable* is hereby *impowered* to exact the Penalties conform to Law.

XII. *Item*, Ilk *Conſtable* ſhall be obliged to take notice of the Sufficiency of the *Muckmen*, and their ſeaſonable cleanſing the *Streets* and others; and that the Tackſmen take away the ſame in due Time, conform to the Act of Council, and poind ſuch Perſons as ſhall be found guilty of throwing over any Kind of Filth, at Shots, Windows or Doors in the high *Streets*, or in Cloſſes, Wynds, or Paſſages of the City, and for undue laying down the ſame, *contrary* to the Time allowed in the Proclamation, when any Complaint ſhall be made to them by any of the Neighbours; and after Trial, ilk *Conſtable* is hereby *impowered* to cauſe the Perſon guilty pay conform to the *Tenor* of the printed Proclamations.

XIII. *Item*,

XIII. *Item*, That each Family ſhall be poinded for their Children or Servants that naſtes the Streets, Turnpikes or Stairs, Cloſſes or Vennels of the City, in 4 *ſh. Scots*, when any Complaint ſhall be made.

XIV. *Item*, The Conſtables are hereby impowered to uplift the reſpective Fines incurred by the Inhabitants and their Servants within the Bounds, conform to the printed Proclamation, and are to give an Account to the Magiſtrates of thoſe that ſhall tranſgreſs, each *Monday* of the Week during their Office.

XV. *Item*, If any Perſon Inhabitant, Soldier of the Town-guard, or Officer, ſhall refuſe or delay to concur with the Conſtable, in executing his Office, they ſhall be impriſoned, and ſeverely puniſhed by Command of the Lord Provoſt and Baillies, according to the Quality of the Offence.

XVI. *Item*, The Conſtables ſhall, at their Meetings, on the ſaid laſt *Mon-*

Mondays of every Month, give up an Account to the Magiſtrates of all Fines impoſed, or exacted by them, conform to the above Inſtructions, that the Magiſtrates may diſpoſe of the ſame as they ſee Cauſe, allowing all Charge that is paid out for Information, or otherwiſe.

XVII. *Item*, That every Conſtable, after he is out of his Office of Conſtabulary, ſhall continue in the Office of a *Cenſor* and Aſſiſtant to his ſucceeding Conſtable, for ſuppreſſing Immoralities during the Time of their immediate Succeſſors Office, and to attend the quarterly Meetings of the ſaid Conſtables anent Immoralities, *&c.*

XVIII. *Item*, The Conſtable ſhall be obliged to receive any Injunctions or Statute, that the Lord Provoſt, or Baillies and Council, ſhall enjoin to them at any Time hereafter, relating to their Office.

Extracted by me

ADAM WATT.

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Penalties inflicted by the Acts of Parliament againſt Immorality and Vice, as they are abridged in the Proclamation of Privy Council.

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